

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

OFFENSE CHARGED
21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C) - Conspiracy to Distribute Controlled Substances

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Maximum 20 years imprisonment;
Maximum \$1,000,000 fine;
Between 3 years and lifetime supervised release;
\$100 special assessment.**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

DEA

 person is awaiting trial in another Federal or State Court,
give name of court _____ this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District
_____ this is a reprocution of
charges previously dismissed
which were dismissed on motion
of: U.S. ATTORNEY DEFENSESHOW DOCKET NO.
_____ this prosecution relates to a
pending case involving this same
defendantMAGISTRATE
CASE NO.
_____ prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

19-71162 TSH

Name and Office of Person
Furnishing Information on this form DAVID L. ANDERSON U.S. Attorney Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned) SAILAJA M. PAIDIPATY**PROCESS:** SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

 Arraignment Initial AppearanceDefendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:
_____**DEFENDANT - U.S.**

BRAYAN MARTINEZ

DISTRICT COURT NUMBER

19-0381-05 CRB

FILED
MAR 13 2020
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
SUSAN Y. SOSA

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior
summons was served on above charges → _____

 2) Is a Fugitive

 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge

 5) On another conviction } Federal State

 6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No} If "Yes"
give date
filed
_____DATE OF
ARREST →Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY →Month/Day/Year
_____ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS**

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney
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FILED
MAR 13 2020
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,) CASE NO. CR 19-0381-05 CRB
12 Plaintiff,)
13 v.) VIOLATION:
14 BRAYAN MARTINEZ,) 21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to
15 Defendant.) Distribute and Possess with Intent to Distribute
) Controlled Substances

16
17 INFORMATION

18 The United States Attorney charges:

19 COUNT ONE: (21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(C) – Conspiracy to Distribute and
20 Possess with Intent to Distribute Methamphetamine, Heroin, and Cocaine Base)

21 Beginning on a date unknown, but no later than in or about January 2019, and continuing to on
22 or about July 30, 2019, in the Northern District of California and elsewhere, the defendant,

23 BRAYAN MARTINEZ,

24 did knowingly and intentionally conspire to distribute and possess with intent to distribute controlled
25 substances, specifically, a mixture and substance containing a detectable amount of methamphetamine,
26 its salts, isomers, and salts of its isomers, a Schedule II controlled substance; a mixture and substance
27 containing a detectable amount of heroin, a Schedule I controlled substance; and a mixture and
28 substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in

1 violation of Title 21, United States Code, Sections 846, 841(a)(1) and (b)(1)(C).

2 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

3 The allegations contained above are hereby re-alleged and incorporated by reference for the
4 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

5 Upon conviction of any the offense alleged in Count One above, the defendant,

6 BRAYAN MARTINEZ,

7 shall forfeit to the United States all right, title, and interest in any property constituting and derived from
8 any proceeds the defendants obtained, directly or indirectly, as a result of such violations, and any
9 property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of
10 such violations, including but not limited to a forfeiture money judgment and the following:

- 11 a. \$4,465 seized on June 21, 2019, from a residence on 103rd Avenue in Oakland,
12 California; and
- 13 b. \$6,895 seized on August 6, 2019, from a residence on High Street in Oakland,
14 California.

15 If any of the property described above, as a result of any act or omission of the defendants:

- 16 a. cannot be located upon exercise of due diligence;
- 17 b. has been transferred or sold to, or deposited with, a third party;
- 18 c. has been placed beyond the jurisdiction of the court;
- 19 d. has been substantially diminished in value; or
- 20 e. has been commingled with other property which cannot be divided without
21 difficulty,

22 the United States of America shall be entitled to forfeiture of substitute property of the defendant
23 pursuant to Title 21, United States Code, Section 853(p), up to the value of the property described
24 above.

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1 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal
2 Procedure 32.2.

3 DATED: 3/13/2020

DAVID L. ANDERSON
United States Attorney

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5 SAILAJA M. PAIDIPATY
6 Assistant United States Attorney